

**INFORMATION DISCLOSURE STATEMENT**

Applicants : P.T. Barnum, et al.
App. No. : 10/078,920
Filed : February 20, 2002
For : SENSOR BAND FOR ALIGNING AN
EMITTER AND A DETECTOR
Examiner : Unknown
Group Art Unit : 2877

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing four (4) references that are also enclosed.

This Information Disclosure Statement is being filed before the mailing date of a final action under 37 C.F.R. § 1.113 and before the mailing date of a Notice of Allowance under § 1.311. A certification under 37 C.F.R. § 1.97(e) is set forth below. Thus, no fee is required as set forth below in 37 C.F.R. § 1.97(c).

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(1)

I hereby certify that each item of information contained in this Statement was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 12, 2003

By: 

John M. Grover
Registration No. 42,610
Attorney of Record
Customer No. 20,995
(949) 760-0404



112032

2877

PATENT

Case Docket No. MASIMO.307A
Date: August 12, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : P.T. Barnum, et al.
Appl. No. : 10/078,920
Filed : February 20, 2002
For : SENSOR BAND FOR
ALIGNING AN EMITTER
AND A DETECTOR
Examiner : Unknown
Group Art Unit: 2877

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 12, 2003

(Date)

John M. Grover, Reg. No. 42,610

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) an Information Disclosure Statement;
- (X) a PTO Form 1449 with four (4) references; and
- (X) a return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.

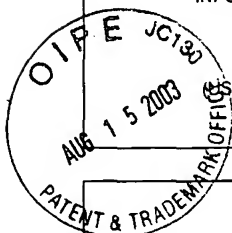
John M. Grover

Registration No. 42,610
Attorney of Record
Customer No. 20,995
(949) 760-0404

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
MASIMO.307AAPPLICATION NO.
10/078,920INFORMATION DISCLOSURE STATEMENT
BY APPLICANTAPPLICANT
P.T. Barnum, et al.FILING DATE
February 20, 2002GROUP
2877

(USE SEVERAL SHEETS IF NECESSARY)



U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	5,999,834	12/1999	Wang, et al.			
	2	5,991,648	11/1999	Levin			
	3	5,782,757	07/1998	Diab, et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	4	PCT International Search Report, App. No.: PCT/US03/05103, App. Date: 02/20/2003, 3 pages.

H:\DOCS\JMG\JMG-5023.DOC:ls
081203

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	